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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENIS GUTSU and
MAXIM GUTSU,

Defendants.

CASE NO. 2:23-CR-00272-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: December 12, 2023
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

1. By previous order, this matter was set for status conference on December 12, 2023.
2. By this stipulation, defendants now move to continue the status conference until March 5, 2024, and to exclude time between December 12, 2023, and March 5, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 12,000 pages of documents that have been produced and another 10,000 pages that are currently being processed for production.
 - b) Counsel for defendants desire additional time to consult with their clients, review the current charges, conduct investigation and research related to the charges, review discovery for this matter, discuss potential resolutions with their clients, and to otherwise prepare for trial.
 - c) Counsel for defendants believe that failure to grant the above-requested

continuanace would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of December 12, 2023 to March 5, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 4, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ NICHOLAS M. FOGG
NICHOLAS M. FOGG
Assistant United States Attorney

Dated: December 4, 2023

/s/ SHAUN KHOJAYAN
SHAUN KHOJAYAN
Counsel for Defendant
DENIS GUTSU

Dated: December 4, 2023

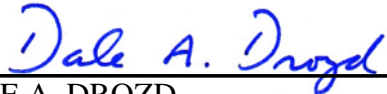
/s/ TIMOTHY ZINDEL
TIMOTHY ZINDEL
Counsel for Defendant
MAXIM GUTSU

ORDER

Pursuant to the stipulation of the parties and good cause appearing, the status conference previously scheduled for December 12, 2023, is continued to March 5, 2024, and time is excluded between December 12, 2023, and March 5, 2024, under Local Code T4.

IT IS SO ORDERED.

Dated: **December 5, 2023**



DALE A. DROZD
UNITED STATES DISTRICT JUDGE